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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,854	01/09/2002	William A. Hartselle	60027.0093US01	6891
39262	7590	08/09/2005	EXAMINER	
BELLSOUTH CORPORATION			TANG, KAREN C	
P.O. BOX 2903			ART UNIT	
MINNEAPOLIS, MN 55402-0903			PAPER NUMBER	

2151

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,854

Applicant(s)

HARTSELLE ET AL.

Examiner

Karen C. Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/9/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to amendment/reconsideration filed 05/23/05, the amendment/reconsideration has been considered. Examiner notes that claim 8 was amended rejection cited as stated below. Claims 1-30 are pending for examination, the rejection cited as stated below.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

I. Claims 1-12, 16-23, 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogilvie (US 6,711,608).

1. Referring to Claims 1, 8 and 19, Ogilvie discloses a system for providing self-destructing electronic mail messages (refer to Abstract), the system comprising: an electronic mail server application operative to receive a request to transmit a self-destructing electronic mail message (refer to Col 9, Lines 5-20), to transmit the self-destructing electronic mail message to an electronic mail client application (218 and 202, refer to Fig 2), and to cause all instances of the self-destructing electronic mail message to be destroyed after a period of time specified in the request (refer to Col 11, Lines 40-50) and electronic mail client application operative to transmit the request to

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the electronic mail server application (refer to Col 9, Lines 5-35), the request comprising an electronic mail message body and specifying a period of time within which the self-destructing electronic mail should be destroyed (refer to Col 11, Lines 40-50).

2. Referring to Claim 2, Ogilvie discloses wherein the time period comprises an indication that the self-destructing electronic mail message (refer to Abstract) should be destroyed after it has been opened and closed on the electronic mail client application (refer to Col 11, Lines 40-50 and Col 6, Lines 1-20).

3. Referring to Claims 3 and 28, Ogilvie discloses further comprising; transmitting an electronic mail message to the electronic mail client application (218 and 202, refer to Fig 2) indicating that the self-destructing electronic mail message has been destroyed after the destruction of the self-destructing electronic mail message (refer to Col 9, Lines 40-67).

4. Referring to Claim 4, Ogilvie discloses wherein the electronic mail message sent to the electronic mail client application (218 and 202, refer to Fig 2) after the destruction of the self-destructing electronic mail message comprises an identity of the sender of the self-destructing electronic mail message (refer to Col 7, Lines 1-10) and an indication that the self-destructing electronic mail message was sent and destroyed (refer to Col 9, Lines 60-67 and Fig 2).

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5. Referring to Claim 5, Olgilvie discloses encrypting the self-destructing electronic mail message prior to transmitting the self-destructing electronic mail message to the electronic mail client application (refer to Col 7, Lines 10-25, and Col 10, Lines 20-35 and Col 9, Lines 5-20).

6. Referring to Claims 6 and 17, Olgilvie discloses a computer-executable instructions which, when executed by a computer (refer to Col 9, Lines 20-35 and Col 5, Lines 50-67, Col 6, Lines 1-10).

7. Referring to Claim 7, Olgilvie discloses a computer-readable medium comprising A computer-controlled apparatus capable of performing (refer to Col 4, Lines 35-67).

8. Referring to Claims 9 and 20, Olgilvie discloses receiving a self-destructing electronic mail message sent from the electronic mail server application (218 and 202, refer to Fig 2); and destroying all instances of the electronic mail message (refer to Abstract) sent from the electronic mail server after a period of time specified in the self-destructing electronic mail message has elapsed (refer to Col 11, Lines 40-50).

9. Referring to Claim 18, Olgilvie discloses a computer-controlled apparatus capable of performing (refer to Col 4, Lines 35-67).

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10. Referring to Claims 10 and 21, Ogilvie discloses wherein the electronic mail client application is further operative to prevent the self-destructing electronic mail message from being printed (refer to Col 10, Lines 64-67 and Col 11, Lines 1-15).

11. Referring to Claims 11 and 22, Ogilvie discloses wherein the electronic mail client application is operative to prevent the self-destructing electronic mail message from being forwarded (refer to Col 7, Lines 25-45).

12. Referring to Claims 12 and 23, Ogilvie discloses wherein the electronic mail client application is further operative to prevent the self-destructing electronic mail message from being saved (refer to Col 7, Lines 25-45).

13. Referring to Claims 13 and 24, Ogilvie discloses wherein the electronic mail client application is further operative to prevent the self-destructing electronic mail message from being moved (forwarding, refer to Col 7, Lines 25-40).

14. Referring to Claims 14 and 25, Ogilvie discloses wherein the electronic mail client application is further operative to prevent the self-destructing electronic mail message from being copied or cut to a clipboard (refer to Col 11, Lines 10-20).

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15. Referring to Claims 15 and 26, Ogilvie discloses wherein the electronic mail client application is further operative to prevent a screen display containing the self-destructing electronic mail message from being captured (refer to Col 11, Lines 50-67 and Col 12, Lines 1-10).

16. Referring to Claim 27, Ogilvie discloses wherein the period of time within which the self-destructing electronic mail message should be destroyed comprises an indication that the self-destructing electronic mail message should be destroyed immediately after it has been read on the electronic mail client application (refer to Col 3, Lines 30-35 and Col 6, Lines 5-20).

17. Referring to Claim 29, Ogilvie discloses wherein the electronic mail server application is further operative to encrypt the self-destructing electronic mail message and wherein the electronic mail client application is operative to decrypt the self-destructing electronic mail message (refer to Col 7, Lines 10-25, and Col 10, Lines 20-35).

18. Referring to Claims 16 and 30, Ogilvie discloses wherein the electronic mail client application is further operative to provide a security warning message ("remove from mail list", refer to Col 9, Lines 5-20) prior to transmitting the request in response to determining that an intended recipient of the self-destructing electronic mail message is located beyond a home domain associated with the electronic mail server application (it

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is inherent that once the client has provide a message, the message itself will return the message to the server of originator 200, that ensure the domain is associated with the server and Col 10, Lines 35-50).

1. Applicant's arguments filed on 5/23/05 have been fully considered but they are not deemed to be persuasive. In the remarks, applicant argued in substance that

(A) Prior Art does not teach destroying all instance of the self-destructing electronic mail message.

(B) discloses a request comprising a time period within which all instances of the self-destructing electronic mail message should be destroyed.

As to point (A), Prior Art Ogilvie teaches all the instance is being destroyed, refer to Col 9, and since the word "all instance" is not properly defined, Examiner inteprets that by "remove from mailing" and "self-removing email file which by self-removing email message when the recipient opened the self-removing email message, the message will delete itself completely is equivalent as to "destroying all instance of the self-destructing electronic mail message".

As to point (B), Prior Art Ogilvie teaches a timestamp along with the life span of the message file, which the file simply deletes itself once the time is up, refer to Col 11, Lines 35-50.

Any remark, which is not in claimed language, is not being considered by Examiner.

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2. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER